

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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JULIO PEREZ,

Plaintiff,

20 **CIVIL** 8069 (VB)

-against-

**JUDGMENT**

DOCCS COMMISSIONER ANTHONY  
ANNUCCI, GHCF SUPERINTENDENT  
GRIFFIN, GHCF MEDICAL SUPERVISOR  
DR. BENTIVEGNA, GHCF MEDICAL  
PROVIDER DR. SILVER, and DR. HOLDER,

Defendants.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated February 23, 2022, In an Opinion and Order dated November 29, 2021, the Court granted defendants' motion to dismiss the complaint, pursuant to Fed. R. Civ. P. 12(b)(6) for failure to state a claim upon which relief can be granted. The Court also granted plaintiff leave to file an amended complaint as to one of the defendants, Dr. Holder, only, by January 31, 2022, in accordance with the instructions set forth in the Opinion and Order. (Doc. #27). In doing so, the Court advised plaintiff in bold and underlined font that if he failed to file an amended complaint or seek additional time to do so by January 31, 2022, the Court would direct the Clerk to enter judgment in defendants' favor and close the case. To date, plaintiff has not filed an amended complaint or sought an extension of time in which to do so. Accordingly, judgment is entered in defendants' favor and this case is closed. The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this

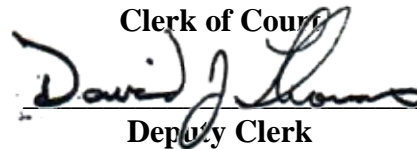
Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. Cf. *Coppedge v. United States*, 369 U.S. 438, 444--45 (1962).

**Dated:** New York, New York  
February 24, 2022

**RUBY J. KRAJICK**

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Clerk of Court

BY:

  
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Deputy Clerk